

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

UPTOWN PRODUCE CONNECTION, INC.

DEFENDANTS

TRI-COUNTY PRODUCE, INC., et al.

(b) County of Residence of First Listed Plaintiff Lake County, Illinois
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Kane County, Illinois
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Keaton & Associates, P.C., 1278 W. Northwest Hwy., Suite 903,
Palatine, Illinois 60067, Tel: 847/934-6500

Attorneys (If Known)

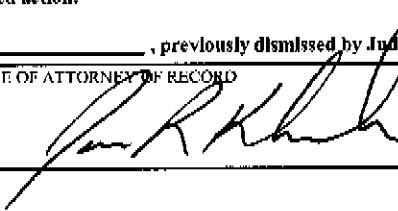
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question
(U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PLTF	DEF	PLTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	PATENT/TRADEMARK	RANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 1690 Other		neat
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice		l
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury—Product Liability		ates/etc.
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		ted and
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability			ons
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine			
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excl. vet.)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 370 Other Fraud		
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Inj.	<input type="checkbox"/> 385 Property Damage Product Liability		
<input type="checkbox"/> 195 Contract Product Liability				
<input type="checkbox"/> 196 Franchise				
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 850 Security/Commodity/Exch.	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> Habeas Corpus:	<input type="checkbox"/> 875 Customer Challenge	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 12 USC 3410	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 891 Agricultural Acts	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 ADA—Employment	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 892 Economic Stabilization Act	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 ADA — Other	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 893 Environmental Matters	
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 894 Energy Allocation Act	
			<input type="checkbox"/> 895 Freedom of Information Act	
			<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	
			<input type="checkbox"/> 950 Constitutionality of State Statutes	
			<input type="checkbox"/> 890 Other Statutory Actions	
V. ORIGIN	(PLACE AN "X" IN ONE BOX ONLY)			
<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)
				<input type="checkbox"/> 6 Multidistrict Litigation
				<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
VI. CAUSE OF ACTION	(Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)			
A breach of the Perishable Agricultural Commodities Act, 1930, 7 U.S.C. §§ 499a-499t, as amended (2006 & Supp. 2007)				
VIII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23		DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No
			23,918.77	
IX. This case	<input type="checkbox"/> Is not a refile of a previously dismissed action.			
	<input type="checkbox"/> Is a refile of case number _____, previously dismissed by Judge _____			
DATE	June 25, 2008			
SIGNATURE OF ATTORNEY OF RECORD				
 JUN 26 2008 TC Jun 26, 2008 MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT				

FILED

JUN 26 2008 TC

Jun 26, 2008

MICHAEL W. DOBBINS

CLERK, U.S. DISTRICT COURT